



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,299	01/08/2007	Frederic Noelle	CAB-40211	9548
116 7590 08/04/2008 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			EXAMINER MALEKZADEH, SEYED MASOUD	
			ART UNIT 1791	PAPER NUMBER
			MAIL DATE 08/04/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### **DETAILED ACTION**

Claims 6-12 are pending.

Claims 1-5 are cancelled.

In view of the arguments, filed on 07/21/2008, following rejections are maintained for the reason of records as given in the previous office action, mailed on 11/28/2007.

- Rejection of claims 6-7 and 9-12 under 35 U.S.C. 103(a) as being unpatentable over Vuillaume et al (US 2002/0157766) in view of Boulanger et al (US 5,405,650)
- Rejection of claim 8 under 35 U.S.C. 103(a) as being unpatentable over Vuillaume et al ('766) in view of Boulanger et al ('650) and further in view of Vuillaume et al (US 2002/0168910)

### ***Response to Arguments***

Applicant's arguments filed on 07/21/2008 have been fully considered but they are not persuasive.

Applicant argue "that independent claims 6 and 12 each recite moisture-expressing means downstream in the direction in which the web moves of the consolidation device and an applicator downstream of the moisture expressing means. This limitation is not met by Vuillaume ('766)." Furthermore, applicants argue "the applicator unit (9) (of Vuillaume et al '766) is located upstream of the suction unit (25) "

This is not found persuasive because, as been presented in the previous office action, Vuillaume ('766) in view of Boulanger et al ('650) teach all the structural limitations of a machine for the continuous production of a non-woven product, as claimed in claims 6-7 and 9-12. Applicant's attention is drawn to the point that it has been generally recognized to shift the location of the parts when the operation of the device is not otherwise changed. (See *In re Japikse*, 86 USPQ 70; *In re Gazda*, 104 USPQ 400)

Combined teachings of Vuillaume ('766) in view of Boulanger et al ('650) clearly teach an apparatus for producing a non-woven webs comprising a spun-bond tower (1) for depositing filaments (3) as a web, a conveyor, water jets (14, 15, and 16) as a consolidation device for consolidating the web, a suction unit (25) as a moisture-expressing mean, and an applicator unit (9) for applying of a second sheet (V2) product into the web. As cited above, it is within the level of ordinary skill in the art to locate the applicator unit downstream of the moisture-expressing means since it has been generally recognized to shift the location of the parts when the operation of the device is not otherwise changed. Hence, the combination of prior arts teaches all the structural limitations and therefore, claims 6-12 maintained rejected.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Masoud Malekzadeh whose

Art Unit: 1791

telephone number is 571-272-6215. The examiner can normally be reached on Monday – Friday at 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven P. Griffin, can be reached on (571) 272-1189. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance form a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. M. M./

Examiner, Art Unit 1791

/Steven P. Griffin/

Supervisory Patent Examiner, Art Unit 1791